

Attorney Docket No.
32149631.4



10-12-01

U.S. Patent Application No.
09/911,079

Receipt
JTB

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|--|---|-------------------------------------|
| Applicant(s): Huang et al | § | Group Art No.: 2661 |
| | § | |
| Serial No.: 09/911,079 | § | Examiner: Not Yet Assigned |
| | § | |
| Filed: July 20, 2001 | § | Atty. Docket No.: 32149631.4 |
| | § | |
| For: Broadband Ethernet Data Flow Control | § | |
| | § | |

Office of Initial Patent Examination
Customer Service Center
Commissioner for Patents
Washington, D.C. 20231

REQUEST FOR CORRECTED FILING RECEIPT

Dear Commissioner:

Attached is a copy of the official Filing Receipt received from the United States Patent and Trademark Office in the above application for which issuance of a corrected filing receipt is respectfully requested.

An error was made at the time of filing stating that the application should be awarded "small entity" status. Applicants respectfully request that the application be amended to reflect large entity status. Applicants have paid the large entity filing fee in the Response to Notice to File Missing parts of Nonprovisional Application concurrently filed herewith.

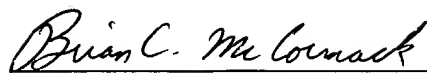
Additionally, Applicants respectfully request that the Attorney Docket Number be amended to reflect "32149631.4".

Applicants believe that no fees are required in connection with this filing. However, to the extent that fees are required, the Commissioner is authorized to charge those fees, or credit any overpayment, to Account No. 13-0480, Attorney Docket No. 32149631.4.

Attorney Docket No.
32149631.4

U.S. Patent Application No.
09/911,079

Respectfully submitted,

A handwritten signature in cursive script, reading "Brian C. McCormack", positioned above a horizontal line.

Brian C. McCormack
Registration No. 36,601

Date: October 11, 2001
BAKER & McKENZIE
2001 Ross Avenue
2300 Trammell Crow Center
Dallas, Texas 75201
Telephone: (214) 978-3000
Facsimile: (214) 978-3099



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Huang et al

Serial No.: 09/911,079

Filed: July 20, 2001

For: Broadband Ethernet Data
Flow Control

§
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§

Group Art No.: 2661

Examiner: Not Yet Assigned

Atty. Docket No.: 32149631.4

**RESPONSE TO NOTICE TO FILE
MISSING PARTS OF APPLICATION**

EXPRESS MAIL MAILING LABEL NO.: EL698812679US

DATE OF DEPOSIT: 10-11-01

I, Christi Pingleton, hereby certify that this correspondence is being deposited on the date shown above with sufficient postage with the United States Postal Service as Express Mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Christi Pingleton
Signature

10-11-01
Date

Commissioner of Patents
Washington, D.C. 20231
Attn: Initial Patent Examination Division

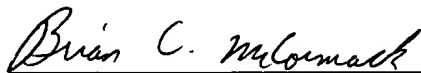
Dear Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application, mailed September 6, 2001 enclosed are the following:

1. A copy of the "Notice to File Missing Parts of Nonprovisional Application";
2. A check in the amount of \$840 to accommodate the filing fee and surcharge for a large entity; and
3. Request to Correct Filing Receipt.

An error was made at the time of filing stating that the application should be awarded "small entity" status. Applicants respectfully request that the application be amended to reflect large entity status. The fee enclosed reflects the large entity status. Applicants have requested that the filing receipt be amended to reflect the large entity status and enclose a Request to Correct Filing Receipt accordingly.

Respectfully submitted,



Brian C. McCormack
Reg. No. 36,601

ATTORNEY FOR APPLICANTS

Date: October 11, 2001
BAKER & MCKENZIE
2001 Ross Avenue, Suite 2300
Dallas, TX 75201
214/978-3043
214/978-3099 fax



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/911,079 | 07/20/2001 | Ying Bo Huang | 32149361.1A |

CONFIRMATION NO. 2918

FORMALITIES LETTER



OC000000006520111

BRIAN C. McCORMACK
BAKER & MCKENZIE
SUITE 2300
2001 ROSS AVENUE
DALLAS, TX 75201

12/13/2001 EEKUBAY1 00000008 09911079

01 FC:201 355.00 OP
02 FC:205 65.00 OP

Date Mailed: 09/06/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

10/10/2001 SHINASS1 00000001 130480 09911079

FILED UNDER 37 CFR 1.53(b)

01 FC:105 430.00 OP
02 FC:101 30.00 CR 740.00 OP

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 420.

Adjustment date: 12/13/2001 EEKUBAY1
10/18/2001 SHINASS1 00000001 130480 09911079
01 FC:105 -130.00 OP
02 FC:101 30.00 CR -740.00 OP

A copy of this notice MUST be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

10/16/2001 SHINASS1 00000053 130480 09911079
01 FC:101 740.00 OP
02 FC:105 30.00 CR 100.00 OP

Repln. Ref: 12/13/2001 EEKUBAY1 0010505600
DRI:130480 Name/Number:09911079
FC: 704 \$420.00 CR

Adjustment date: 10/16/2001 SHINASS1
10/16/2001 SHINASS1 00000053 130480 09911079
01 FC:101 -740.00 OP
02 FC:105 30.00 CR -100.00 OP



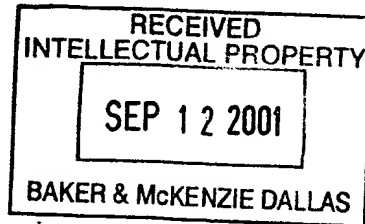
Page 1 of 3
DOCKETED
CA

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

| APPLICATION NUMBER | FILING DATE | GRP ART UNIT | FIL FEE REC'D | ATTY. DOCKET NO. | DRAWINGS | TOT CLAIMS | IND CLAIMS |
|--------------------|--------------|--------------|---------------|------------------|----------|------------|------------|
| 09/911,079 ✓ | 07/20/2001 ✓ | 2661 | 0.00 | 32149361.1A ✓ | 2 | 8 | 1 |

BRIAN C. McCORMACK
BAKER & MCKENZIE
SUITE 2300 ✓
2001 ROSS AVENUE
DALLAS, TX 75201



CONFIRMATION NO. 2918 ✓
FILING RECEIPT



Date Mailed: 09/06/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Ying Bo Huang, Shanghai, CHINA; ✓
Wei Gao, Shanghai, CHINA; ✓
Xiang Wang, Shanghai, CHINA; ✓
Hanzhong Gao, Germantown, MD; ✓

Domestic Priority data as claimed by applicant

Foreign Applications

CHINA 00 1 19489.5 07/20/2000 ✓

If Required, Foreign Filing License Granted 09/05/2001 ✓

Projected Publication Date: To Be Determined - pending completion of Missing Parts

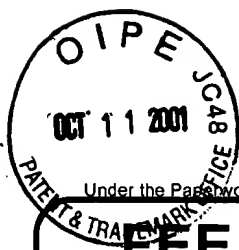
Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

Broadband Ethernet data flow control ✓



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 840.00

Complete if Known

| | |
|----------------------|------------------|
| Application Number | 09/911,079 |
| Filing Date | 07/20/2001 |
| First Named Inventor | Huang |
| Examiner Name | Not Yet Assigned |
| Group Art Unit | 2661 |
| Attorney Docket No. | 32149631.4 |

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: 130480
Deposit Account Name: BAKER & MCKENZIE

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|----------------------------|----------------------------|------------------------|----------|
| 101 710 | 201 355 | Utility filing fee | 710.00 |
| 106 320 | 206 160 | Design filing fee | |
| 107 490 | 207 245 | Plant filing fee | |
| 108 710 | 208 355 | Reissue filing fee | |
| 114 150 | 214 75 | Provisional filing fee | |

SUBTOTAL (1) (\$) 710.00

2. EXTRA CLAIM FEES

Total Claims: -20** = X =
Independent Claims: -3** = X =
Multiple Dependent: =

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description |
|----------------------------|----------------------------|--|
| 103 18 | 203 9 | Claims in excess of 20 |
| 102 80 | 202 40 | Independent claims in excess of 3 |
| 104 270 | 204 135 | Multiple dependent claim, if not paid |
| 109 80 | 209 40 | ** Reissue independent claims over original patent |
| 110 18 | 210 9 | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|----------------------------|----------------------------|--|----------|
| 105 130 | 205 65 | Surcharge - late filing fee or oath | 130.00 |
| 127 50 | 227 25 | Surcharge - late provisional filing fee or cover sheet | |
| 139 130 | 139 130 | Non-English specification | |
| 147 2,520 | 147 2,520 | For filing a request for <i>ex parte</i> reexamination | |
| 112 920* | 112 920* | Requesting publication of SIR prior to Examiner action | |
| 113 1,840* | 113 1,840* | Requesting publication of SIR after Examiner action | |
| 115 110 | 215 55 | Extension for reply within first month | |
| 116 390 | 216 195 | Extension for reply within second month | |
| 117 890 | 217 445 | Extension for reply within third month | |
| 118 1,390 | 218 695 | Extension for reply within fourth month | |
| 128 1,890 | 228 945 | Extension for reply within fifth month | |
| 119 310 | 219 155 | Notice of Appeal | |
| 120 310 | 220 155 | Filing a brief in support of an appeal | |
| 121 270 | 221 135 | Request for oral hearing | |
| 138 1,510 | 138 1,510 | Petition to institute a public use proceeding | |
| 140 110 | 240 55 | Petition to revive - unavoidable | |
| 141 1,240 | 241 620 | Petition to revive - unintentional | |
| 142 1,240 | 242 620 | Utility issue fee (or reissue) | |
| 143 440 | 243 220 | Design issue fee | |
| 144 600 | 244 300 | Plant issue fee | |
| 122 130 | 122 130 | Petitions to the Commissioner | |
| 123 50 | 123 50 | Processing fee under 37 CFR 1.17(q) | |
| 126 180 | 126 180 | Submission of Information Disclosure Stmt | |
| 581 40 | 581 40 | Recording each patent assignment per property (times number of properties) | |
| 146 710 | 246 355 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 149 710 | 249 355 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 179 710 | 279 355 | Request for Continued Examination (RCE) | |
| 169 900 | 169 900 | Request for expedited examination of a design application | |

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 130.00

SUBMITTED BY

| | | | | | |
|-------------------|---------------------------|-----------------------------------|------------|-----------|--------------|
| Name (Print/Type) | Brian C. McCormack | Registration No. (Attorney/Agent) | 36,601 | Telephone | 214/978-3000 |
| Signature | <i>Brian C. McCormack</i> | Date | 10/11/2001 | | |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231 DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS SEND TO: Assistant Commissioner for Patents Washington DC 20231



Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (08-00)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number **09/911,079**

Filing Date **07/20/2001**

First Named Inventor **Huang**

Group Art Unit **2661**

Examiner Name **Not yet assigned**

Total Number of Pages in This Submission

10

Attorney Docket Number **32149631.4**

ENCLOSURES (check all that apply)

- ☒ Fee Transmittal Form
☒ Fee Attached
☐ Amendment / Reply
☐ After Final
☐ Affidavits/declaration(s)
☐ Extension of Time Request
☐ Express Abandonment Request
☐ Information Disclosure Statement
☐ Certified Copy of Priority Document(s)
☐ Response to Missing Parts/ Incomplete Application
☒ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Assignment Papers (for an Application)
☐ Drawing(s)
☐ Licensing-related Papers
☐ Petition
☐ Petition to Convert to a Provisional Application
☐ Power of Attorney, Revocation Change of Correspondence Address
☐ Terminal Disclaimer
☐ Request for Refund
☐ CD, Number of CD(s) _____

- ☐ After Allowance Communication to Group
☐ Appeal Communication to Board of Appeals and Interferences
☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
☐ Proprietary Information
☐ Status Letter
☒ Other Enclosure(s) (please identify below):

**Request to Correct Filing Receipt
Check for filing fee and surcharge
Postcard acknowledgement**

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm
or
Individual name

**Brian C. McCormack
BAKER & MCKENZIE**

Signature

Brian C. McCormack

Date

10/11/2001

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as indicated on the envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: **10/11/2001**

Express EL6988 2679

Typed or printed name

Christi Pingleton

Signature

Christi Pingleton

Date

10/11/2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.